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NAVAJO INDIAN EDUCATION

HEARING

U.S. Congress BEFORE THE *Senate*

COMMITTEE ON INDIAN AFFAIRS

UNITED STATES SENATE

SEVENTY-NINTH CONGRESS

SECOND SESSION

ON

S. J. Res. 79

A BILL ESTABLISHING A JOINT CONGRESSIONAL
COMMITTEE TO MAKE A STUDY OF CLAIMS
OF INDIAN TRIBES AGAINST THE UNITED
STATES, AND TO INVESTIGATE THE AD-
MINISTRATION OF INDIAN AFFAIRS

MAY 14, 1946

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ELMER THOMAS, Oklahoma

DENNIS CHAVEZ, New Mexico
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NAVAJO INDIAN EDUCATION

TUESDAY, MAY 14, 1946

UNITED STATES SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, D. C.

The committee met at 10:30 a. m., pursuant to call, in room 424, Senate Office Building, Senator Carl A. Hatch presiding.

Present: Senators Hatch (presiding), McFarland, and Bushfield.

Also present: Albert A. Grorud, special assistant; and a delegation of 23 representatives of the Navajo Tribal Council, including: Chee Dodge, Hugh Black, John Billy, Scott Preston, Carl Mute, Albert Sandoval, Jr., Sam Gorman, Herbert Bicenti, H. T. Donald, Kenneth Williams, Sam Ahkeah, Robert Curley, David Clah, Joe Duncan, Clarence Tso, Billy Norton, Yellowman, Hosteen T. Badoni, Tohanni Nez, Running Salt, Dan Keohne, Tom Dodge, and Paul Jones.

Senator HATCH. The meeting will come to order. Senator Bushfield has a matter to bring up.

Comparison of the size of 9 selected States with the Navajo Indian Reservation

	Area in square miles		Area in square miles
NAVAJO INDIAN RESERVATION.....	25,000	Massachusetts.....	8,257
Rhode Island.....	1,214	New Hampshire.....	9,304
Delaware.....	2,057	Vermont.....	9,609
Connecticut.....	5,009	Maryland.....	10,577
New Jersey.....	7,836	West Virginia.....	24,181

SENATE JOINT RESOLUTION 79

Senator HATCH. This meeting this morning has been called, technically, to consider S. J. Res. 79, the joint resolution introduced by Senator Bushfield from South Dakota.

The joint resolution is to—

establish a joint congressional committee to make a study of claims of Indian tribes against the United States, and to investigate the administration of Indian affairs.

And the meeting will continue under that authority to consider that resolution.

The principal purpose of the meeting, however, this morning is to hear representatives of the Navajo Tribal Council to present their views on several different topics.

I understand that Mr. Chee Dodge is the first witness to appear.

STATEMENT OF CHEE DODGE, CHAIRMAN, NAVAJO TRIBAL COUNCIL, INTERPRETED BY PAUL JONES, NAVAJO RESERVATION

Senator HATCH. Will you identify yourself for the purpose of the record?

Mr. DODGE. I am chairman of the Navajo Tribal Council.

Mr. JONES. I am from the Navajo Reservation and I would like to interpret the remarks of Chairman Dodge for the benefit of the committee.

Mr. DODGE. We are here for the purpose of seeking aid on behalf of our people. We are handicapped to a great extent on the reservation with regard to our educational set-up. Our forefather made a treaty with the Government of the United States in 1868 and we are here seeking the fulfillment of that treaty agreement.

Senator HATCH. I read an interesting editorial in one of the Gallup papers some days ago calling attention to the fact that the United States failed to live up to its treaty obligations.

Mr. JONES. Yes.

Senator HATCH. You might also interpret that to your delegation, Mr. Jones, for their information and also tell them from me that I have had several conferences with Mrs. Kirk in recent months. She has explained to me the condition of the Navajo people.

All right, Mr. Dodge, will you continue?

Mr. DODGE. We have many children now of school age and have had for several years who have attended no school at all and there are no facilities provided for them to go to school.

The facilities provided leave us with 14,000 children of school age on the reservation for whom no schools are provided.

Referring back to the date, to 1868, provision was made by the Government whereby they would provide a teacher for every 30 children of school age and we would like to ask that it be fulfilled as soon as possible.

We want information on the reservation as to where you would have them sent to school, to the various locations on the Reservation.

Senator HATCH. Yes, You should put that in.

Mr. DODGE. In our consideration of the matter, we believe that it is necessary to establish large schools at the points I am going to name.

At Fort Wingate, N. Mex., there should be provision for a school for 800 children.

At Crownpoint, N. Mex., we would like to have a school established for 750 children.

We have now a school at Shiprock, N. Mex., but that school is worn out and the buildings are ready to fall apart. Still, that school may be closed on account of that condition.

Senator HATCH. How many attend the school now?

Mr. DODGE. Less than 100. We would have to have that rebuilt to accommodate 750 in New Mexico.

And we further add that if the school at Shiprock was established, that a hospital, something like the one at Crownpoint, N. Mex., should be established alongside this school.

We have a small school at Toadlena, N. Mex., and we would like to have a school built to accommodate from 500 to 600 children there; and alongside that school, there should also be a hospital.

We had a boarding school at Tohatchi, N. Mex., but that was closed due to operating and other conditions which make it impossible to keep a school going. We also ask that the school be rebuilt there and that it be enlarged to accommodate 650 children. Alongside that we are asking that a hospital be established with that school also.

I would refer back to the hospital for just a moment. The hospitals we now have are in such a condition that they cannot accommodate only a few people and they are very inefficient.

We have a boarding school at Fort Defiance, Ariz., and we would like to have that built up. We have one of the best hospitals at Fort Defiance.

At Chinlee, Ariz., we are asking that the school be built for 650 children. The building there is ready to fall apart also. A good hospital also is needed in connection with that boarding school.

At Kayenta, there is a small school and a small hospital. We ask that they be enlarged to accommodate 650 in the school and that the hospital be increased in size.

In regard to myself, you might wonder why I talk so loud. I want the delegation to hear what I am saying.

We are asking for the establishment of a school at Tuba City. We already have a school there but it needs to be enlarged to accommodate 750 children; and a hospital is necessary also to go along with that school.

We had a large boarding school at Leupp, Ariz. That has been closed for several years now and we still maintain we need schools for the Navajo children on that part of the reservation and I would like you to consider the best possible location, either above the present Leupp school or below. The school in that particular area should be established to accommodate 700 children.

Toward the east, we have Indian Wells and Greasewood, Ariz. At both places, there is no school of any kind. We need schools to accommodate 600 children.

The distance from Leupp to Indian Wells is quite far and it would be impossible to have the children at Indian Wells going to school at Leupp.

Toward the east there is Tanner Spring, Ariz. We have a good supply of running water there and there are no schools right around there. The school is under the Bureau there and we are asking to have an establishment there to accommodate 700 children.

Another place still further is Oak Spring, Ariz. There are no schools of any kind there. We are asking an establishment to accommodate 600 children.

The reasons for the establishment of schools, particularly on the reservation proper, are that we have an area, as you see, on the eastern portion, outside the reservation where there are 13,000 Navajos living. They need to be provided with schools for their children. I would like to leave it to the committee to consider the best possible places to establish the schools for these 13,000 outside the reservation.

I said we need schools to accommodate 14,000 Navajo school children of school age. Not only do we need to have them taught English, but they need to be educated to such an extent that when they are through with schools on the reservation they will be able to compete with the white people. At the present time all of them are growing up to the same state as many of our old people—uneducated and unable to compete with the outside world off the reservation.

As I recall it, from the 1868 agreement, it was understood that the Government would educate the Navajo children. That has been intended for a hundred years now. Since 1868 to the present time there are very few Navajo Indians who understand the English language and can carry on a conversation in other than Navajo.

We would like to have a beginning in the near future for these Navajo people so we can see in 15 or 20 years that the Navajos will learn to talk English and be able to get around outside the reservation. By being able to understand English, they will be able to compete with other people. We do not want to take another 100 years to begin. We would like to have it taken up now and have a beginning.

The cost of establishing all these schools on the reservation of the Navajos will be expensive. But the longer we talk about it and the less action we take in the accomplishing of it will only make it more expensive for the people. From 1868 to the present is a long time. Much money has been wasted and there are no results shown, and there is no evidence that this particular appropriation to educate the Navajos has been properly used.

We are asking that these schools be boarding schools where they will stay for the school periods. That means they will send their children there to board and room.

We have had an experiment with day schools on the reservation. For the last 12 years day schools have been established on the reservation. We have not a single product of that day school whereby we can point to one or two as a result of the experiment. It does not work with the Navajo people.

This is due to the fact that the Navajos do not live in villages but in all directions from these day schools and most of them at a great distance and since there is no provision to get them to these schools it is a hardship to walk these distances and when they discovered it was just a hardship, especially during the cold weather, they could not keep it up.

From past experience with day schools, our tribe has taken it upon themselves to say they cannot take their children to day schools. It is a hardship and sickness to keep that going and we cannot show in the last 12 years a single product of that day school. They tried to go there and could not carry it out. We want to replace that with the boarding schools and that is what we are pleading for our people. They have delegated us to tell you about this desperate situation.

Let me tell you, the census of the Navajos as I have it lately. The population now exceeds 55,000—between 55,000 and 58,000 and, of course, you will realize we are not asking for anything small to accommodate so many people.

We are asking that doctors be provided with these hospitals to go from place to place looking after the health of the Navajos and visiting nurses for the whole reservation.

That is the weighty matter we have brought to you for your consideration and I hope you may be able to give us an answer that something could be done about it.

There are others who wish to say something about the same matter here and this is my testimony so far. I would like to give another person a chance to speak.

Senator HATCH. Can you tell us how the population is divided between the States of New Mexico and Arizona—the numbers in each State?

Mr. DODGE. I figure from my personal observation about 30,000 in Arizona and twenty-five to twenty-eight thousand in New Mexico including those living off the regular reservation.

Senator HATCH. How many off the reservation?

Mr. DODGE. Thirteen thousand.

Senator HATCH. There are far more living in Arizona than in New Mexico.

Mr. DODGE. Yes.

Senator HATCH. But the population is about evenly divided between those off the reservation and those in the reservation in New Mexico.

Mr. DODGE. Let me give you an illustration of what is in the minds of our people—what is in our heart. We have already a weighty problem on our minds and it has been there for a long time. When you are handicapped one way or the other, the first person you go to is your friend. I am handicapped. I want to go to this particular friend. He may be a blood relation or a friend but I know when I see this friend and he thinks it over he says, "You are my friend"—and he will help you.

We know you have a friend in the Government officials. We know you will give it your consideration and you will do something for us. I do not think we have a dearer friend than we have here in Washington.

Senator HATCH. I want to thank you for coming. We are glad to have you and the other representatives here. It is a problem with which this committee has been concerned a long time. We know something of it, not as much as we should but we do realize there is an obligation by this Government to the Navajo people and, personally, I hope our Government will meet that obligation.

Mr. JONES. Thank you, Mr. Chairman. We would like to call on Mr. Sam Ahkeah.

Senator HATCH. We are glad to have you with us, Mr. Ahkeah. You may proceed in your own way. Will you state your full name and your position?

STATEMENT OF SAM AHKEAH, VICE CHAIRMAN, NAVAJO TRIBAL COUNCIL

Senator HATCH. We are glad to have you with us Mr. Ahkeah and you may proceed in your own way. State your name first, will you please.

Mr. AHKEAH. My name is Sam Ahkeah and I am vice chairman of the Navajo Tribal Council of Shiprock.

May I refer to this map?

Senator HATCH. Yes; be glad if you will.

Mr. AHKEAH. I just want to tell the committee—the chairman has asked us about the school there at Shiprock. The school is operating as a hospital here in New Mexico. We have quite a lot of Navajos up here in Utah and it is quite a long way to go from here to Utah where the Navajos are.

Senator HATCH. Do these Navajos come down to Shiprock to school?

Mr. AHKEAH. That is what I wanted to get at. So far, the chairman has not mentioned any schools in Utah. A school ought to be considered for them also. They are quite a way from Shiprock.

Senator HATCH. Are there no schools?

Mr. AHKEAH. There is a little day school there and I believe Mr. Stewart will recall that 2 or 3 years ago we decided to convert it into a community boarding school.

Senator HATCH. Was that done?

Mr. AHKEAH. I would like to have that considered.

Mr. STEWART. They agreed to have it done. The Navajos were to supply some stone and the Government the roofing and some other materials, but the war prevented it. We did not have the people to do the work.

Senator HATCH. What is the distance in miles from Shiprock to that territory?

Mr. AHKEAH. Well, we must say here to Towaoc, Colo., is about 30 miles, may be more. It is about 20 miles down here to these schools [referring to chart].

Senator HATCH. About how many Navajos live in the Utah section?

Mr. STEWART. About 2,600 across the entire strip.

Mr. AHKEAH. This next school that I am most familiar with is Kayenta, Ariz. That must be about one-hundred-some-odd miles from Shiprock. I think two delegations came from there recently and that school is not in operation to date. I was there not so many days ago. Also the hospital is closed there. The only school that is operating is the State school, public school.

Senator HATCH. Do the Navajo children go to the State school?

Mr. AHKEAH. So far it is just a small public school, so I think mostly Navajo children are going to school there.

There is another community center over here [indicating on map]. The school the chairman talked about is all the way around here and it would be quite a distance for all these other schools. So the council men from Lukachukai area would like to have a school considered there. I believe there is a day school operating there.

And then I believe the chairman suggested a school at Greasewood. I believe he said nothing about a hospital. The Navajos there also need a good hospital.

Here is Indian Wells and Greasewood about 40 miles between these two points here. The roads are poor and for the record, we are talking about schools, but we would like to have better roads between these two.

The road from Shiprock up here all the way is not good. There is a little boarding school open to us.

Senator HATCH. They are all dirt roads?

Mr. AHKEAH. We have some things here that attract tourists. Here is the Grand Canyon. Why not put a road through from Shiprock out to the highway that runs between Flaxstaff and Salt Lake City. It is a short run from California to the Grand Canyon and up to Mesa Verde, Colo. So this road, if there is any program on the reservation, maybe it should be considered as No. 1 road.

Then, this is Kayenta. There is a road there but not very good.

Senator HATCH. Senator McFarland from Arizona has just come in and I want him to hear this testimony.

Senator McFARLAND. I thought I heard you considering moving some of Arizona into New Mexico, so I thought I had better come.

Mr. AHKEAH. This Kayenta road goes out to Utah across the San Jan. Here and there is already a dirt road that is a road that could

possibly be made better right through to Shiprock, and this road could come out at Gallup.

That would make a good center for Kayenta. This road from Kayenta to Tuba City is 75 miles, and it is a poor road most of the year; it is impassable when there is a heavy rain or snow.

Senator HATCH. Almost impassable in the winter time. So there is no doctor around there.

Senator McFARLAND. Where is Gallup on your map?

Senator HATCH. It is right south of Shiprock.

Senator McFARLAND. Is that a map of New Mexico?

Mr. AHKEAH. Here is New Mexico. Here is the State-line road here.

Senator McFARLAND. Where is Arizona?

Senator HATCH. So that is where Arizona is!

Mr. AHKEAH. It seems to me that we could put a better school there. The roads are in good shape. In order to put better schools here, State roads need to be considered.

Another thing is that this is a pretty big country and to these day schools erected here are quite a long way apart. The bus was tried out to carry these children back and forth but the cost of the bus and the road maintenance is pretty great.

Senator HATCH. Did the children ride on the busses when they operated?

Mr. AHKEAH. Yes.

Senator HATCH. That was satisfactory?

Mr. AHKEAH. Yes. It was not in the winter time. The children had to stand out in the cold for a good many minutes before the bus showed up and then if the bus breaks down they are in the cold most of the day and then have to walk home.

Senator HATCH. That would be in most cases a good many miles.

Mr. AHKEAH. So that is the reason the chairman suggested boarding schools. Then we keep the children there, and that is the way I went to school in the days when they had no roads on the reservation.

Senator HATCH. Where did you go?

Mr. AHKEAH. Fort Lewis, Colo. That was back in 1910. And then I went to Shiprock.

Senator McFARLAND. You think the boarding schools would be better than the day schools?

Mr. AHKEAH. I believe we get along better with the boarding schools.

Senator McFARLAND. Children do not like to go to these boarding schools.

Mr. AHKEAH. The children. I believe children as well as parents, some of them, do kick about the children being too far away. But I did not mind going to boarding school. I hardly ever saw a white man here, and they took me out of the reservation, up here [indicating on map]. I did not mind it much. I was about 8 years old.

Senator HATCH. But the chairman testified, and you also, that your people believed that the boarding school is better than the day school.

Mr. AHKEAH. Yes. We got used to the boarding schools just about the time they took them away from us.

Senator HATCH. They testified that 12 years of operation of day-school schools accomplished no results.

Mr. AHKEAH. So, as the chairman said, our treaty with the Government says that the Government would provide schools for our children.

Senator HATCH. For each 30 pupils. I think, Mr. Clerk, if you will secure a copy of the treaty and insert it in the record we would like to have it done.

Mr. AHKEAH. I have a copy, I believe. It could be inserted in the record and returned.

Mr. GRORUD. Yes.

(The treaty is as follows:)

TREATY WITH THE NAVAHO, 1868

Articles of a treaty and agreement made and entered into at Fort Sumner, New Mexico, on the first day of June, one thousand eight hundred and sixty-eight, by and between the United States, represented by its commissioners, Lieutenant-General W. T. Sherman and Colonel Samuel F. Tappan, of the one part, and the Navajo Nation or tribe of Indians, represented by their chiefs and headmen, duly authorized and empowered to act for the whole people of said nation or tribe (the names of said chiefs and headmen being hereto subscribed) of the other part, witness:

ARTICLE 1. From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to keep it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also to reimburse the injured persons for the loss sustained.

If the bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Navajo tribe agree that they will, on proof made to their agent, and on notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws; and in case they wilfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this treaty, or any others that may be made with the United States. And the President may prescribe such rules and regulations for ascertaining damages under this article as in his judgment may be proper; but no such damage shall be adjusted and paid until examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss whilst violating, or because of his violating, the provisions of this treaty or the laws of the United States, shall be reimbursed therefor.

ARTICLE 2. The United States agrees that the following district of country, to wit: bounded on the north by the 37th degree of north latitude, south by an east and west line passing through the site of old Fort Defiance, in Cañon Bonito, east by the parallel of longitude which, if prolonged south, would pass through old Fort Lyon, or the Ojo-de-oso, Bear Spring, and west by a parallel of longitude about 109° 30' west of Greenwich, provided it embraces the outlet of the Cañon-de-Chilly, which cañon is to be all included in this reservation, shall be, and the same is hereby, set apart for the use and occupation of the Navajo tribe of Indians, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them; and the United States agrees that no persons except those herein so authorized to do, and except such officers, soldiers, agents, and employés of the Government, or of the Indians, as may be authorized to enter upon Indian reservations in discharge of duties imposed by law, or the orders of the President, shall ever be permitted to pass over, settle upon, or reside in, the territory described in this article.

ARTICLE 3. The United States agrees to cause to be built, at some point within said reservation, where timber and water may be convenient, the following buildings: a warehouse, to cost not exceeding twenty-five hundred dollars; an agency building for the residence of the agent, not to cost exceeding three thousand dollars; a carpenter shop and blacksmith shop, not to cost exceeding one thousand dollars each; and a schoolhouse and chapel, so soon as a sufficient number of children can be induced to attend school, which shall not cost to exceed five thousand dollars.

ARTICLE 4. The United States agrees that the agent for the Navajos shall make his home at the agency building; that he shall reside among them, and shall keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by or against the Indians as may be presented for investigation, as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decision shall be binding on the parties to this treaty.

ARTICLE 5. If any individual belonging to said tribe, or legally incorporated with it, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding one hundred and sixty acres in extent, which tract, when so selected, certified, and recorded in the "land-book" as herein described, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the persons selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select, and cause to be certified to him or her for purposes of cultivation, a quantity of land, not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon, that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Navajo land-book."

The President may at any time order a survey of the reservation, and when so surveyed, Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the character of the title held by each.

The United States may pass such laws on the subject of alienation and descent of property between the Indians and their descendants as may be thought proper.

ARTICLE 6. In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as may be settled on said agricultural parts of this reservation, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that, "for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians, and faithfully discharge his or her duties as a teacher."

The provisions of this article to continue for not less than ten years.

ARTICLE 7. When the head of a family shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of two years, he shall be entitled to receive seeds and implements to the value of twenty-five dollars.

ARTICLE 8. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named under any treaty or treaties heretofore made, the United States agrees to deliver at the agency-house on the reservation herein named, on the first day of September of each year for ten years, the following articles, to wit:

Such articles of clothing, goods, or raw materials in lieu thereof, as the agent may make his estimate for, not exceeding in value five dollars per Indian—each Indian being encouraged to manufacture their own clothing, blankets, &c.; to be furnished with no article which they can manufacture themselves. And, in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians on which the estimate from year to year can be based.

And in addition to the articles herein named, the sum of ten dollars for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of ten years, for each person who engages in farming or mechanical pursuits, to be used by the Commissioner of Indian Affairs in the purchase of such articles as from time to time the condition and necessities of the Indians may

indicate to be proper; and if within the ten years at any time it shall appear that the amount of money needed for clothing, under the article, can be appropriated to better uses for the Indians named herein the Commissioner of Indian Affairs may change the appropriation to other purposes, but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named, provided they remain at peace. And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

ARTICLE 9. In consideration of the advantages and benefits conferred by this treaty, and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy any territory outside their reservation, as herein defined, but retain the right to hunt on any unoccupied lands contiguous to their reservation, so long as the large game may range thereon in such numbers as to justify the chase; and they, the said Indians, further expressly agree:

1st. That they will make no opposition to the construction of railroads now being built or hereafter to be built across the continent.

2d. That they will not interfere with the peaceful construction of any railroad not passing over their reservation as herein defined.

3d. That they will not attack any persons at home or traveling, nor molest or disturb any wagon-trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith.

4th. That they will never capture or carry off from the settlements women or children.

5th. They will never kill or scalp white men, nor attempt to do them harm.

6th. They will not in future oppose the construction of railroads, wagon-roads, mail stations, or other works of utility or necessity which may be ordered or permitted by the laws of the United States; but should such roads or other works be constructed on the lands of their reservation, the Government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of said commissioners to be a chief or head-man of the tribe.

7th. They will make no opposition to the military posts or roads now established, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.

ARTICLE 10. No future treaty for the cession of any portion or part of the reservation herein described, which may be held in common, shall be of any validity or force against said Indians unless agreed to and executed by at least three-fourths of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him as provided in article [5] of this treaty.

ARTICLE 11. The Navajos also hereby agree that at any time after the signing of these presents they will proceed in such manner as may be required of them by the agent, or by the officer charged with their removal, to the reservation herein provided for, the United States paying for their subsistence en route, and providing a reasonable amount of transportation for the sick and feeble.

ARTICLE 12. It is further agreed by and between the parties to this agreement that the sum of one hundred and fifty thousand dollars appropriated or to be appropriated shall be disbursed as follows, subject to any condition provided in the law, to wit:

1st. The actual cost of the removal of the tribe from the Bosque Redondo reservation to the reservation, say fifty thousand dollars.

2d. The purchase of fifteen thousand sheep and goats, at a cost not to exceed thirty thousand dollars.

3d. The purchase of five hundred beef cattle and a million pounds of corn, to be collected and held at the military post nearest the reservation, subject to the orders of the agent, for the relief of the needy during the coming winter.

4th. The balance, if any, of the appropriation to be invested for the maintenance of the Indians pending their removal, in such manner as the agent who is with them may determine.

5th. The removal of this tribe to be made under the supreme control and direction of the military commander of the Territory of New Mexico, and when completed, the management of the tribe to revert to the proper agent.

ARTICLE 13. The tribe herein named, by their representatives, parties to this treaty, agree to make the reservation herein described their permanent home, and they will not as a tribe make any permanent settlement elsewhere, reserving the

right to hunt on the lands adjoining the said reservation formerly called theirs, subject to the modifications named in this treaty and the orders of the commander of the department in which said reservation may be for the time being; and it is further agreed and understood by the parties to this treaty, that if any Navajo Indian or Indians shall leave the reservation herein described to settle elsewhere, he or they shall forfeit all the rights, privileges, and annuities conferred by the terms of this treaty; and it is further agreed by the parties to this treaty, that they will do all they can to induce Indians now away from reservations set apart for the exclusive use and occupation of the Indians, leading a nomadic life, or engaged in war against the people of the United States, to abandon such a life and settle permanently in one of the territorial reservations set apart for the exclusive use and occupation of the Indians.

In testimony of all which the said parties have hereunto, on this the first day of June, one thousand eight hundred and sixty-eight, at Fort Sumner, in the Territory of New Mexico, set their hands and seals.

W. T. SHERMAN,
Lieutenant-General, Indian Peace Commissioner.
S. F. TAPPAN,
Indian Peace Commissioner.

Barboncito, chief, his x mark.

Armijo, his x mark.

Delgado.

Manuelito, his x mark.

Largo, his x mark.

Herrero, his x mark.

Chiqueto, his x mark.

Muerto de Hombre, his x mark.

Hombro, his x mark.

Narbone, his x mark.

Narbone Segundo, his x mark.

Gañado Mucho, his x mark.

Council:

Riquo, his x mark.

Juan Martin, his x mark.

Attest:

Geo. W. G. Getty, colonel Thirty-seventh Infantry, brevet, major-general U. S. Army; B. S. Roberts, brevet brigadier-general U. S. Army, lieutenant-colonel Third Cavalry; J. Cooper McKee, brevet lieutenant-colonel, surgeon U. S. Army; Theo. H. Dodd, United States Indian agent for Navajos; Chas. McClure, brevet major and commissary of subsistence, U. S. Army; James F. Weeds, brevet major and assistant surgeon, U. S. Army; J. C. Sutherland, interpreter; William Vaux, chaplain U. S. Army.

Serginto, his x mark.

Grande, his x mark.

Ineotenito, his x mark.

Muchachos Mucho, his x mark.

Chiqueto Segundo, his x mark.

Cabello Amarillo, his x mark.

Francisco, his x mark.

Torivio, his x mark.

Desdendado, his x mark.

Juan, his x mark.

Guero, his x mark.

Gugadore, his x mark.

Cabason, his x mark.

Barbon Segundo, his x mark.

Cabores Colorados, his x mark.

Mr. AHKEAH. We would like to have the school problem considered very strongly since it was promised us and we would like that promise fulfilled. We would like to have all the children given compulsory education; also that we should have our high schools to be accredited like the schools outside the reservation.

Senator HATCH. Certainly that is the type of schooling that should be arranged.

Mr. AHKEAH. We have no help from the Government yet. The kind of help we want is not to do something for us, but to enable us to help ourselves along better. What I mean is that the help we have been receiving in the past 10 years in the reservation—they take so much of our sheep—

Senator HATCH. It is education primarily you want.

Mr. AHKEAH. That way they took our rights away too.

Senator HATCH. What you are telling us is that your people want to be helped to be self-sustaining, self-efficient where you can grow and care for yourselves and provide for yourselves just as all other citizens do.

Mr. AHKEAH. Yes.

Senator HATCH. And you put your education first?

Mr. AHKEAH. And I believe that will take care of pretty near everything.

Senator HATCH. Take care of that and you believe everything else will look after itself?

Mr. AHKEAH. It will solve most of our problems.

May I suggest that Scott Preston be heard next?

Senator HATCH. Thank you very much. Yes.

Senator McFARLAND. Maybe it would be better if you became self-sustaining like the rest of the people.

STATEMENT OF SCOTT PRESTON, TUBA CITY, ARIZ.

Senator HATCH. Will you state your name and where you live?

Mr. PRESTON. Scott Preston, Tuba City, Ariz.

I want to add to the testimony that these two gentlemen have given regarding schools. The statements made by the chairman and vice chairman are the true facts.

I want to get into more detail and illustrate what we mean by Indian schools. We need help in general to save the Navajos from going into something wrong—wrong things they are aching to take hold of because they are inferior.

First of all, we found ourselves in a handicapped position when war was declared by the United States. If we were called to serve with other people, they were handicapped because they were unable to understand anything outside of the Navajo language. With that handicap they cannot help themselves on the reservation. We had difficulty in that respect with the selective service. We were not trained in any given work. We were not able to do anything to help along as much as we would have liked.

We found ourselves in a handicapped position there right away. We started thinking it was something lacking that we should have and we said it was education. If we were educated we would be doing the things the other people were doing to win this war. That just started us to think about it. We have to change and we have to be educated. That is the result of our consideration and that is why we are here asking that we be educated.

Not only were we handicapped from the standpoint of education in language and trades but on the other hand there is a pressure put upon the whole reservation to save it from deterioration by the elimination of what had been our personal support—livestock. It has dwindled down to much less than what we had and we cannot rely on that for a living in the future. We have to look elsewhere.

Not only do we ask to have our children brought to schools so they can converse with the white people in their own language but we want an education that you gentlemen have. Your education goes to the point where you have gone beyond high school. You have gone to college and learned a trade. We are asking that for our children also.

As the vice chairman pointed out to you, the road conditions on the reservation, you can see by the map, that the distance from one end to the other is great and to bring supplies to these distant points on the reservation we need roads built so the supplies can be brought in there. What supplies we get in there now come from traders or

the Government and we have to pay big prices because the traders have difficulty in getting there. That is why we want a better system of roads on our reservation to bring better conditions to our people along with better education.

We all realize that the cost of establishing what we are asking for is tremendous but we say we have been neglected for so long a time that we need help to live as we have lived before. It seems there are so many things that will destroy the Navajo people if nothing is done for us. But to save the Navajo people we must have a beginning in education.

Thank you for listening to me for what I have to say for the people and I hope that this will be very carefully considered.

SENATOR HATCH. Do you agree that the boarding school is better than the day school?

MR. PRESTON. Yes. That is true. I maintain that the boarding school is the only way to educate the Navajo people. We have experimented with the day school. There were so many things that prevented the children attending the day school. There were no roads. When the bus went out, it could not travel without trouble. There was the weather element that had to do with it—sand storms, rain and snow. The busses could not run on these roads and the day schools were provided with teachers that were placed fairly below the surrounding schools on the reservations and they were not on a par with the elementary-education schools right around.

SENATOR HATCH. In New Mexico, aren't the Navajos who live off the reservation in State schools?

MR. PRESTON. I am not aware of it.

SENATOR HATCH. You do not know of any Navajo children going to State schools.

MR. PRESTON. No. I only want to tell of things I know and about other things I can only say I do not know.

SENATOR HATCH. Are there any other questions?

MR. PRESTON. We have considered this matter of education to a great extent and we came to the conclusion to ask that this education be given the Navajos by the Government and when that education is started we want to place our children in there and at any time before the child reaches high school, or passes through high school, we do not want to let any children be kept at home until they have finished that period.

Heretofore many parents left their children in school and when they returned there were complaints coming in and the children would not go in and the parents said if that is the kind of school it is, I do not want my children to go in there. Now we want them to go, to have compulsory education.

SENATOR MCFARLAND. What percentage of the children go to school?

MR. PRESTON. There is provision on the reservation now for 5,400 and he said a while ago there was 14,000 not provided for.

SENATOR MCFARLAND. Fourteen thousand not provided for?

SENATOR HATCH. You also put education as No. 1 thing for the Navajo people?

MR. PRESTON. Yes. That is the foremost in our minds. We have discussed that and come to the conclusion. Look at the white people.

He studies and goes to school and learns a trade and we want to be like the white people.

Senator McFARLAND. You say he learns a trade. Does the Navajo want to go out and work off the reservation among other people to pursue his trade?

Mr. PRESTON. That is exactly what we mean. If a man from New Mexico or Arizona learns a trade and can do better in New York City he should be able to go there or any other place.

Senator McFARLAND. That is very important as to what you are trying to accomplish. If you learn trades and your children would want to go right back and live the same life as before it would not do them any good to learn the trade.

Senator HATCH. What do you think about that?

Mr. PRESTON. We have discussed it at great length—the very thing you have spoken about and we find we have several Navajos in that position and they have a trader off the reservation, a long way off, and we hear that he is following his trade.

On that trip from Arizona to New Mexico we contacted two boys at Chicago and they were practicing their trade.

Senator HATCH. I understand there are 3,000 Navajos in the service?

Mr. PRESTON. That is true.

Senator McFARLAND. I am sorry I have to go to another committee. I want these people to know I am sympathetic with their problems. Thank you.

Senator HATCH. Thank you, sir.

As I recall that New Mexico country there are no state schools there at all.

Mr. BROPHY. Some State schools built by the Federal Government and the State furnishes the teacher but there are no schools to which the Indians go.

Senator HATCH. That is what I think.

Your next witness is Joe Duncan?

STATEMENT OF JOE DUNCAN, SHIPROCK, N. MEX.

Mr. DUNCAN. My name is Joe Duncan and I come from Shiprock, N. Mex.

I want to make some small comment on the subject of education that we have been discussing so far this morning.

I represent the people in the Shiprock area and when I was leaving, as far as they could see me, they kept saying to me, "Talk about boarding schools for our people." "Day schools we do not want." That still rings in my ears.

I think the people have expressed themselves on a piece of paper here a lot better than what I can talk. I would like to have you read it but would like to have the papers back and they have said quite a bit about education on that.

Senator HATCH. We might have this put in the record?

Mr. DUNCAN. Yes.

Senator HATCH. These will all be printed in the record so they will be a permanent part of the records of this hearing.

(The papers referred to follow:)

RESOLUTION OF OFFICIALS OF NAVAJO TRIBAL COUNCIL

Whereas it has been agreed by treaty in 1868 between the Government of the United States and the Navajo Nation that the Government would provide for the education of all Navajo children, and

Whereas the Government has not fulfilled its promises made in this treaty since but one-fourth of our children can be accommodated in the schools provided for them, a condition that exists in no other part of these United States, and

Whereas the Navajo people want to reach a position and civilization equal to that of his white brother which is borne out again in recent years by their superb war effort—witness these facts:

(1) Three thousand of the youth of this people, approximately 6 percent of their total population, served with distinction in the armed forces,

(2) Ten thousand of this people, approximately 20 percent of their population, left their homes and lands to enter defense work, making a total of 26 percent of this people directly engaged in the war effort, and

Whereas the experiences of the young people in the service, and those in the defense works, have made them realize more clearly than ever before their great educational deficiencies—had their boys been better educated they would have earned more ratings and commissions; had their defense workers been better educated, they would have acquired more desirable jobs and consequently could have contributed even more to the war effort—and

Whereas they are facing a changing economy because of the Government sheep-reduction program, thereby making it necessary for this people to acquire new skills, professions, and trades; and

Whereas these can only be acquired by competent and sufficient education;

Therefore we, the officials of the Navajo Tribal Council of the Shiprock area, respectfully petition our Government to expand immediately the educational institutions and facilities on the Navajo Reservation and especially to reconsider the appropriation for two dormitories at Shiprock to replace the buildings abandoned as unsafe for use.

JOE DUNCAN,
SAMUEL AHKEAH,
LEE TOM,

By _____, (Witness) (?),
By _____, (Witness Campbell).

Tribal Council Members, Shiprock Delegates to the Tribal Council.

RESOLUTION OF SHIPROCK CHAPTER OFFICERS

Whereas the economy of the Navajo people has been rapidly changing during the past years, thereby making it imperative that some means be taken to meet the present challenge; and

Whereas all remedies offered inevitably fail because of a lack of education among the Navajo people, the facilities being inadequate to accommodate the children who wish an education, as the following statistics show—

(1) For the Shiprock area, children of school age in the area, number approximately 3,300; children enrolled in the whole area, 725 (children in public schools, 32; in mission schools, 79; in sanatoria, 21; in nonreservation boarding schools, 62; in special schools and colleges, 4; in Navajo Reservation schools, 527) leaving 2,575 children of school age in the Shiprock area unable to attend;

(2) In the Shiprock community, total number of children of school age, 1,566; total number of children in all schools, 345 (of these, 30 are in public schools, 67 in mission schools, 58 in nonreservation boarding schools, 21 in sanatoria, 3 in special schools, leaving 166 in the Shiprock school, thereby considerably overcrowding it) leaving a total of 1,221 children unable to attend school in the immediate Shiprock community; and

Whereas the Navajo people, not wishing to become paupers, but rather seeking to become a self-supporting and self-reliant people in the national community, cannot attain these ends without education, which opens the fields of trades and professions, and

Whereas this education cannot be had without Government help and greatly expanded educational institutions; Therefore, be it

Resolved, That we, the chapter officers of the Shiprock community, wishing our children to have educational advantages denied us, and to fortify them against a changing economy, request that the Government fulfill the promises made in

the treaty of 1868, article 6, and reconsider especially the appropriation to replace with two large dormitories, the buildings now unsafe and unoccupied at the Shiprock Agricultural High School.

ALLEN NESKAHI,
TOM LEE,
NATANI GARNENEZ,
Shiprock Chapter Officers.

RESOLUTION OF HOGBACK FARMERS ASSOCIATION

Whereas for generations the economy of the Navajos has been built around their sheep; and

Whereas this economy of the Navajos has been undergoing drastic change during the past few years because of sheep reduction, it has become necessary to seek other means of existence; and

(1) Whereas the treaty of 1868 specifically states "the necessity of education is admitted, especially of such of these as may be settled on said agricultural parts of this reservation"; and further promises, "for every 30 children between ages of 6 and 16 who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach"; and

(2) Whereas this Shiprock area is particularly adaptable to agriculture because of the San Juan River. There should be a good agricultural training school at Shiprock; and

Whereas the Shiprock High School has done notable work in times past, it can no longer do so because buildings have been condemned and, as a result, the high school department has been discontinued; and

Whereas the Navajo economy demands expansion rather than retrenchment of facilities: Therefore be it

Resolved, That we, the Hogback Farmers Association, understanding the need of education and agricultural pursuits, hereby request that the Bureau of the Budget reconsider the request for allocation of funds, for the building of new dormitories at Shiprock, in order that the high-school department may resume its place in Navajo education, and further resolve that educational facilities be expanded to help us meet the problems of the changing Navajo economy.

ALLEN NESKAHI,
NATANI GARNENEZ,
TOM LEE,

Hogback Farmers Association.

RESOLUTION OF HOGBACK ASSOCIATION COAL MINERS

Whereas the natural resources of the Navajo Reservation are varied but nonetheless limited in value and accessibility to profitable markets; and

Whereas some of these resources could be developed into an important factor in the Navajo economy provided the Navajos had the proper knowledge, which can only be acquired through competent schools; and

Whereas the Navajo economy, because of the stock-reduction program, must change from a pastoral one to an agricultural and industrial; and

Whereas in such development, a knowledge of machinery and its operations, a knowledge of methods of production and distribution, a knowledge of markets and competitive dealing, a knowledge of business methods and business sense, is absolutely necessary and can be acquired only through education; and

Whereas the Navajos, even those engaged in limited mining operations for coal, fully realize and are cognizant of their shortcomings and deficiencies in the above-mentioned fields of production and business, and also realizing that such skills and training can be acquired only through proper education; and

Whereas we, the Hogback Coal Miners' Association, more than any other Navajo group, appreciating the difficulties that everyone will meet who engages in such a trade as ours without the proper education, do hereby resolve to request urgently that the Government consider these points helpful to our economy and take immediate steps to promote and encourage our youth through education to study and acquire the necessary skills so as to profitably utilize some of the natural resources that are ours. We further resolve that educational facilities for such study and elementary education necessary before such studies can begin, be greatly expanded. We ask the Bureau of the Budget to reconsider the curtailed appropriations for the Navajo service, and as soon as possible make the

necessary appropriations for continued and improved primary and secondary education for the Navajo people.

ROBERT MARTIN,
RUEBEN FOSTER,
TOM LEE,
BEN BEGAY,

Hoback Association Coal Miners.

RESOLUTION OF NAVAJO VETERANS OF FOREIGN WARS AND AMERICAN LEGION

Whereas it is a boasted tradition, founded on the Constitution of the United States, that every child is entitled to receive the privileges of a free education; and

Whereas the Navajo children, the first Americans, have even a greater claim to education because it was promised them by the treaty of 1868 between the United States Government and the Navajo Nation, the largest Indian group in these United States; and

Whereas this same Navajo people, in spite of the fact that for many years they were rejected and discharged because of illiteracy, furnished a greater percentage of soldiers per capita than other racial groups in the country, these same soldiers having served great distinction in all branches of the service and in the Marine Signal Corps, did indispensable work; and

Whereas many of these same Navajo boys willingly laid down their lives on foreign soil in defense of their country and the American way of life, which includes education; and

Whereas education has been so woefully inadequate among this people and the school facilities at present are sufficient only for about one-fourth of the children of school age; and

Whereas almost all of the returned veterans are unable to avail themselves of the privileges granted in the GI bill of rights because of an inadequate elementary schooling: Therefore, be it

Resolved, That we, the Navajo Veterans of Foreign Wars and members of the American Legion, demand on the basis of our rights as veterans that our Government, for whose continuance we fought, recognize the deplorable state of existing educational conditions among our Navajo people and that immediate action be taken to remedy this; and we further

Resolve, That the Bureau of the Budget and Appropriations Committee of both Houses of Congress, immediately reconsider and grant the requests for appropriations bearing upon the education of the Navajo people.

HARRISON S. KELEWOOD,
JIMMIE K. KING,
FRANK ASPAAS,
HOWARD H. NEZ,

Veterans of Foreign Wars and American Legion.

RESOLUTION OF RETURNED STUDENTS ASSOCIATION

Whereas every child under the American flag has an inherent right to a free education in these United States; and

Whereas the Navajo children have an even greater right to education by reason of the formal treaty, entered into between the United States Government and the Navajo Nation, according to which every 30 children between 6 and 16 years of age are entitled to a competent teacher and classroom emphasizing especially "such of them as may be settled on said agricultural parts of this reservation;" and

Whereas the teachers and educational facilities provided at present, are adequate for approximately only a fourth of the school-age children; and

Whereas the Navajo service budget for the current year has been drastically reduced, which directly affects the education department; and

Whereas many of the buildings in use are old, unsanitary, and unsafe, particularly at Shiprock where two dormitories were abandoned because they were unfit for occupancy, with the result that no high-school students could be enrolled; and

Whereas 1,104 children of school age in the immediate vicinity of the Shiprock School, exclusive of the area, cannot attend school for lack of facilities; and

Whereas the Bureau of the Budget has rejected the requested allocation of funds for new dormitories at Shiprock: Therefore be it

Resolved, That we, the North Navajo Returned Students Association, understanding the need for education, do hereby request that the Bureau of the Budget seriously reconsider the drastic cut in appropriations for the Navajo service, and we further resolve that the Bureau of the Budget reconsider our urgent request for new dormitories and that the appropriation requested be approved immediately so that the buildings will be ready for occupancy the coming school year, and further ask that the Government recognize and understand the great need for expanded educational facilities, and that immediate steps be taken to provide for these needs on the Navajo Reservation.

CATO SELLS,
JOHN M. CHARLES,
Returned Students.

Mr. DUNCAN. I have been working on the affairs of the Navajo people for some time and I think foremost in their minds for the welfare of the Navajos in the future is the need of being educated; and not in day school. Every time they talk of education, they do not want to bring up the subject of day school because we cannot do anything with it. We must have boarding school. And in reaching this conclusion that education is so important, it can be seen readily from anyone who goes amongst us that we find a white child saying, "School is going on and these children are not going." They say, "You are a leader among them. Why isn't the child at school?" The answer is that provision must be made.

You and I are being pointed out as being responsible. They say, "Give us boarding schools," and I am glad you gave us that opportunity to say that much about it.

As I say, we have been blamed by our people on the reservation. We are their leaders and some of our men representing the tribe have made trips to Washington to make attempts to get something done. So far there is nothing done from this end and no sympathetic attitude or assurances that something will be done. They say, "Why don't you go there and say something? Why don't you go there and talk about education?" They have got tired. That is why we are repeating the same thing over and over again.

Senator HATCH. I have attended several hearings relative to Navajo problems and heard various matters discussed—stock-reduction program, and boundaries, but this morning is the first time your delegation has centered on education.

That is the reason I have been impressed with the fact that each of these men say that education is first.

Mr. DUNCAN. In my own particular case, all my own children have gone to school and all have been educated. That is why I know so much about the other Indians' feelings about schooling.

Senator HATCH. Did your children go to boarding school?

Mr. DUNCAN. At the Farmington Methodist Christian Boarding School.

Other people have been talking about stock-reduction program affecting the Navajos. It is true that has been going on for several years and we have come to the conclusion that the stock which has been taken off the reservation will not be returned. The people must depend on something else. It seems that education is one of the most important things to take the place of stock reduction.

Senator HATCH. I did not mean these things were unimportant. But I have been impressed by the way you have all stressed education.

Mr. DUNCAN. I can still point to the delegation as a whole. We have quite a number there and every one of them was asked to talk

about school education of the Navajo people. You just call on one of them and he will say the same. Everywhere everyone was told to talk about boarding schools, not day schools.

Finally, I want to thank you for the opportunity of making known the wants of my people on the reservation. The roads also we want to talk about. In order to give far-off points service, and connection with the main roads, we ought to have roads across and back and forth over the railroads.

Senator HATCH. Thank you. I am only sorry that other members of the committee could not be present but they will all be furnished with copies of these hearings.

Mr. DUNCAN. Thank you. When we get through with it I would like to get the papers back.

Mr. STEWART. Can you hear one more witness?

Mr. DUNCAN. Can we get copies of the minutes?

Senator HATCH. Yes. You will be sent copies.

We can hear another witness.

Mr. STEWART. Billy Norton would like to speak.

STATEMENT OF BILLY NORTON, WINGATE, N. MEX.

Senator HATCH. Where do you live?

Mr. NORTON. Wingate, N. Mex.

Senator HATCH. You are not on the reservation?

Mr. NORTON. I live off the reservation. I am in the same position as the other speakers. I represent an area outside the reservation proper from the Wingate area which is off the main reservation. The people whom I represent gathered around me and told me I should talk about education. They need to be educated.

People living outside the reservation are in the same position as those living inside the area. My area is fortunate in having two day schools, but the people say, "Change these schools into boarding schools." That is what they told me and I am sure the same holds true with these other areas north of the reservation.

One other reason for asking for boarding schools—they know that Crownpoint, N. Mex., which is near our area, is filled and the distance between Shiprock and where I come from is too great for them to go back and forth, especially in the winter. We have deep snow there. These areas want schools and in my particular area there are two day schools now. That is insufficient and I think it can be enlarged by digging the wells deeper and bigger.

Right east of Wingate along the border line where the Navajos live there were at one time two day schools. These have been closed for several years and the people in that area also ask for schools for them.

Senator HATCH. Did they close these day schools because the children didn't go?

Mr. NORTON. The main reason for the closing of the schools was lack of teachers.

We have, as I say, three members representing the tribe off the reservation with us and I am sure if they can say anything about it they will say the same as I do. I represent the southern area.

At one time there was an attempt made to build a road from Crownpoint toward the railroad. That would mean access to the railroad and then to the nearest shipping center on the railroad to the reserva-

tion. They made an effort to improve that road but didn't get very far with it.

We have a lot of places where we should have bridges. But there are no bridges. There are four of these places now.

And in connection with schools, if the reservation have them, as the other speakers said, there should be a hospital established with them, right alongside.

There is one other thing I would like to say for your consideration. We have so many thousand people of school age and not provided for. That means that many thousands of these Navajos now are at the age where they are quite big but still they ought to be in school some place. They are between 12 and 14 or 15. Some means of educating them should be provided whereby they can be useful citizens, just as well as those that go to school.

And if no education is provided for these people, by and by they will be 18 years old without education. They will be handicapped later like the old people who have no education. They should be considered now to see if something cannot be done for them.

I think the other speakers have covered pretty well the most important of the points. We wish to bring to your attention the importance of education among the Navajos, and I want to thank you for the opportunity to say something although it may be a reiteration of what the other men said. It has made an impression on you people, and I know the rest of the men feel the same.

Senator HATCH. Thank you, sir.

Mr. NORTON. I come from outside the reservation proper. I want to make a little correction as to the number of people living off the reservation. It is nearer 14,000 than 13,000.

Senator HATCH. Thank you. Is that all, Mr. Stewart?

Anything more, Mr. Brophy?

Mr. BROPHY. Mr. Chairman, I should like to say that it is gratifying to learn that the Navajos are so determined on this educational program—to have more schools and more education for their people.

The basic information about the need for schools that has been furnished the committee is accurate. There are less than 6,000 places for Navajo pupils, and there are approximately 20,000 Navajo children of school age.

There is an obligation of the Federal Government under the treaty and under the national policy to furnish adequate education to the Navajo people.

Unless adequate schools and appurtenances are furnished, I know of no way the Navajo people can get education in that area. When schools are built, roads will be needed in order that the pupils might get to the schools.

I believe supplying the educational needs of the Navajo people is the paramount problem that confronts us. I am informed by our educational experts that it is one of the most complex problems in the United States because of the vast areas, the difference in language, and other factors that exist.

The chairman has personally expressed his concern to me about the inadequacy of the education facilities on the reservation and I share that concern.

The Navajo people need schools and they need them now. Almost insuperable difficulties will confront us if funds are not made available.

We can, however, make a substantial start this year if money is provided by the Congress.

Of course, nobody could approve or disapprove at this time the location and types of schools as given by the delegation. That is a matter for very careful study by the educational experts.

Without disturbing the unity of the appeal this morning, I nevertheless would comment about the economic problem as it relates to the development of the San Juan River. That project should go forward as promptly as we can get adequate information and funds.

If the chairman would permit I should like Mr. Stewart to take a few minutes to give his views because he is the superintendent on the ground on the reservation.

Senator HATCH. Mr. James M. Stewart may be heard.

STATEMENT OF JAMES M. STEWART, GENERAL SUPERINTENDENT, NAVAJO AGENCY

MR. STEWART. Mr. Chairman, I subscribe wholeheartedly to the wishes of these people and the views expressed this morning. I have listened to these issues for 15 years in terms of attending tribal councils and in these tribal meetings the need of education and an honest demand for it has been paramount.

It is not a new demand, but it has been given impetus because of the fact that these people are asking, What is to become of us in the future? They know well in their hearts that land acquisition is limited and expansion to any large extent outside the reservation cannot be done. Therefore, in my opinion, they are wholly frustrated in terms of economic development, and this is an outlet from their frustration and a practical way in my opinion.

That is all I have to say, Mr. Chairman, other than to add that this delegation is most happy that it had an opportunity to have more than two or three speakers heard this morning. They had a fear that only one or two people might be able to talk but now the entire reservation has been represented. Thank you.

Senator HATCH. Thank you, Mr. Stewart and Mr. Brophy.

I want to say to the delegation that, naturally, coming from New Mexico, I am concerned about your problem as are the other Representatives in the Congress and the Senate from both New Mexico and Arizona; and I want to do, as do all the other Representatives, all we can on your particular problem.

But you are going to have to make your story known to others in the House and the Senate. Tomorrow, I understand, you go before the House committee and I hope you will tell it as forcefully there as you have here this morning.

I think you are very wise in stressing, as you have done, the question of education.

I do want to say on the question of the San Juan that I have known of that situation and that is one of the projects that ought to be constructed. I hope Congress will provide the necessary funds for it and to start on your program of education as soon as possible.

MR. ROBERT CURLEY (Leupp, Ariz.). I should like to have included in the record a statement on behalf of the district No. 5 and a petition asking for the provision of educational facilities for the Navajo Indians.

Senator HATCH. It may be included in the record at this point. (The papers referred to follow:)

STATEMENT FROM LEUPP, ARIZ., DISTRICT NO. 5

We, the Navajo Tribe, present to you our problems and needs.

Education: An insufficient number of boarding schools on the reservation has caused illiteracy among the majority of the Navajo Tribe, and the closing of Leupp Boarding Schools is causing our children to grow up without education which was proven by the selective service. Although many of our Navajo boys were capable they were turned down for the lack of education.

We have always cooperated with the Government; therefore we, the Navajos of District No. 5 ask for the Leupp Boarding School, which was closed during the war and used as a relocation center. Since the war is over we ask to have it reopened for the education of our children. We are having to send what few children we can to other schools like Fort Wingate, N. Mex., and Tuba City, Ariz., which are generally always full, while many more children of school age are lacking education. A great deal of money was spent on Leupp Boarding School and the buildings are all there. It had an enrollment of 400 pupils during the year it was closed. We had a hospital and we want this back with the school for the health of our people and children. We are also sending a diagram of the Leupp School.

The day schools are very inconvenient for the Navajo people because of the distance the children have to walk.

The moving about of the families with their livestock and homes being scattered; going home in the evenings and week ends to the uneducated parents and living the old Navajo life does not teach our children to be clean and be respectable citizens of the United States. We want our children to be educated the same as the white children in order for them to compete with the white race.

ROBERT CURLEY.

PETITION

To the Educational Department of the United States Indian Service at the Navajo Central Agency, Window Rock, Ariz., and Washington, D. C.:

We, the undersigned Navajo Indians, residing in Leupp, Coconino County, Ariz., and in the vicinity of Leupp, Ariz., respectfully petition the Educational Department of the United States Indian Service to please grant us our petition to the effect of conducting a boarding school at Leupp for the Indians. In consideration that heretofore before World War II there was a boarding school at Leupp, Ariz., consisting of 450 pupils, and there was also an Indian day school at Red Lake, 16 miles north of Leupp, consisting of approximately 50 pupils; both of which said schools were closed for the duration of the war. In explanation of the boarding school at Leupp, Ariz., we desire to inform you, as you probably already know, that the condition of the buildings which have previously been used before the war are in very good shape and can be completely repaired for boarding-school purposes at a small cost.

We further petition the Educational Department of the United States Indian Schools to grant us this Indian boarding school so that our children may be able to go to school regularly and become educated so that they will be able to compete with the outside world and people, as our people have been obliged to go off the Indian Reservation to make their living and livelihood and obtain work in which, without a good education, we find ourselves greatly handicapped and unable to do. If we can get our school back at Leupp all our children will attend. When they have to go so far away to school it is a hardship on the parents as well as the children, as the only transportation the Navajo people have is by way of horseback or wagon. We again ask you to grant our petition and give our school back. That will be for 700 children.

Kizzie Yazzie, Gene Price, Atta Kai Yazzi Boadoni, Everett McCabe, Mark Kannyni, Caluci Nez, Jimmy Thompson, Mark Lettle, Navajo Bill, Alfred McCabe, White Hair, Charly Thompson, Belone Begay No. 1, Ray Wilson, Little Joe, Cowboy Big Billy, Jack Begay, Beline Dodiya Begay No. 1, Nora Mae Curtis, Juanita Curtis, Len Zooze, Mertill Craby, Chas. Biwalley, Rex Monroe, Virginia Tsinajinnie, Jacob Binajinnie, Lee Nelson, Josephine Nelson, Rex Toesie, Hermon Riggs, Billy George,

Fay George, Marsha M. Thompson, Ben Daw, Everett M. Thompson, Dorothy C. Riggs, Rite Zazzie, Theodora Moffett, Ah Cun Nei Betsui, Ben Cody, John Russell, Joe Moffatt, Paul Smith, Sr., Reed T. Riggs, Hasteen Stare, John Billie, Slim Auts, Philip Heys, Bobbie McCabe, Lucian Long, May Thompson, Mrs. Larray Price, Mary Thompson, Nora Thompson, Mrs. Mark Kannyni, Adzan Clizzline, Mrs. Everett McCabe, Martha Tso, Nelly Begav, Bitty Thompson, Alex Williams, Chee Williams, Harold Nebitsi, Yellow Indian, Bake Jadi, Ashe-e Begay No. 2, Belone Begay No. 2, Basie D. Tso, Sidney Monroe, Mrs. Calvin Nez, Mrs. Ruby Thompson, Dorothy Foster, Jacob Belone, Big Ben, Hosteen Keyona, Wayne Long, Tom Chee, Riley Jones, Charley Begay No. 2, Charley Long, Hostun Sona, Carl Little, Glenna White, Aurora Tahannie Begay, Ida Begay, Lucille Rope, Claire Gee No. 4, Andy Paddock, Harry Tsosie, Charlie Alcot, Kel Bohea, C. Cody Wife, Laura A. Nez, Sallie Yellow Horn, Winifred C. Paddock No. 3, Dortha Paddock, Tahona Bitsie No. 2, Wesley Sheppard, Donnie Joe, Tahona Betine No. 1, Adzan Joe, Adzan Nez, Adzan Nez Bemah, Adzani Chee, Mrs. Juanita Edison, Lucretia Williams, Adzani Billie, Jessie McCabe, Hazel Begav, Feba Paddock, Hosteen Tso Bemah, Tolly McCabe, Dale Edison, Floyd Williams, Tom Tom McCabe, Tom Workers, Art McCabe, Tommy McCabe, Richard D. Monroe, C. Cody, Sam Worker, Be-bi-dotia, Ralph Paddock, Hosteen Tsoei, Hoskin Chee, Robert Curlev, James Thompson, Joe Williams, Beatrice Kirk, George H. Kirk, Ashe Kay Yazzie, Betty Yazzie, Stanton Williams, Mary Lou Williams, Joe Williams's wife, Beurah Williams, Asdzau Ken Le Chee, Billy Curley, Helen Jones, Maggie Monroe, Delores Kelly, Lena Thompson, Elvira Thompson, Ethelyn M. Pahe, Luther D. Pahe, Violet R. Wilson, Joe Wilson, Dopey, Todechimmi Yozzie, Jerry Monroe, Toe Yeelend, Natani, Mrs. Robert Curley.

Senator HATCH. And with that, if necessary, I go to the floor of the Senate and the meeting will be adjourned.

Mr. BROPHY. Thank you, Mr. Chairman.

(Applause by the Navajo delegation.)

(Thereupon at 12:45 p. m., the committee adjourned sine die.)

(Statement of Mr. John E. Hamilton, president, National American Indian Defense Association, Inc., follows:)

THE PLIGHT OF THE NAVAJO INDIANS

To the Honorable JOSEPH C. O'MAHONEY,

Chairman of the Committee on Indian Affairs of the Senate:

The plight of the Navajo Tribe of American Indians is certainly a disgrace to our national honor. Thousands of Indians in the Navajo Nation today are destitute and they are in need of immediate relief. They are living under conditions of almost unbelievable poverty.

LIVING CONDITIONS

Their living conditions are most critical. The old dilapidated shacks and hogans in which they are forced to live are not fit for even a dog to live in, much less human beings. Unsanitary conditions prevail throughout their entire reservation, and if something for their immediate relief is not forthcoming, I am profoundly satisfied that in a short time these noble people will be a doomed race, with no credit to our national honor.

In March of this year, I made a trip to the Southwest, and visited many sections of the Navajo Indian Reservation. I personally investigated into the present-day conditions of these Indians, and everywhere I went throughout their reservation, I can truthfully say that the plight of these Indian wards of our Nation is purely a national disgrace, and the blame mostly rests upon the Congress of the United States, the people of this country, and the Indian Bureau administration.

If the Congress sits idly by and allows such practices to continue, then it is most certainly the responsibility of Congress for the present-day situation of the Navajo Tribe of American Indians.

INADEQUATE EDUCATIONAL FACILITIES

More than two-thirds of the Navajo Indian children attend no school of any kind, religious or otherwise, and I recommend that the Congress appropriate adequate funds at the earliest possible time to provide these children with the proper and necessary teaching so that they will have the opportunity to speak, read, and write the English language in order that these children may become self-reliant, law-abiding citizens of the United States. The only hope for the American Indian race is to become citizens of this country and accorded the same rights and privileges which are guaranteed to other citizens under the Constitution of the United States; but good citizenship cannot be brought about to these Indians unless we in this country apply the very best methods in teaching and educating them to become industrious, self-reliant, qualified, independent, and self-maintaining citizens of the United States, and this, at the earliest possible time.

After many years of Government control, over 200,000 American Indians, including the Navajos, today, cannot speak, read, or write the English language of their conquerors, who fix their environment and determine their destiny unmindful of their nature and the manner of living of this once proud and virile aboriginal race of real Americans.

I regret that there is so little interest taken by Congress and the American public in the American Indian question and in those matters affecting their welfare and development. I cannot help but feel that the Government has been derelict in its duty toward the Navajo Indians, and in fact, to all other tribes throughout the Nation, and that it should now, without further delay, deal with this important question in a just and humane way to rectify some of the wrongs that have been committed upon a helpless race of people, and prevent the inevitable disaster that not only threatens the Navajo Nation but all other American Indians now under Federal jurisdiction.

When we speak of American Indians, and that of course, includes the Navajo Indians, and I am referring to the Indians who are now under Federal jurisdiction, we are not speaking of a free people; we are not speaking of free citizens of the United States, but are speaking of a people who have been held as incompetent wards of the Federal Government against their will for more than a century.

The American Indians have always been in a status of involuntary wardship. They were made wards of the Federal Government against their will. They had nothing whatsoever to say about it.

The American Indians are born into this status, live in this status, and die in this status. The only tribunal to which they can appeal for relief from any situation which may arise such as in the Navajo case, because of this status, is to the Congress of the United States. In law and in fact they are the "incompetent" wards of the Nation whose care and well-being have been relegated to a Commissioner of Indian Affairs. Congress is the only body to which they can appeal for protection or eventual release from this terrible and most disgraceful situation.

No classes of other citizens in the United States are thus segregated as are the American Indians. There is no argument against this proposition.

Restricted or ward Navajo Indians can do nothing without the consent of the guardian officials. These Indians cannot legally employ an attorney to represent them in court, without the permission from the Indian Bureau officials. They can neither sell nor lease their property without this same procedure.

The Government's treatment of the Navajo Indians as well as other Indians throughout the United States has been condemned for years. It has at no time been satisfactory to the Indians or their friends. A few organizations have been formed solely to help protect them against governmental abuses.

The Navajo Indian problem is not an insoluble problem. It is, so long as Indian administration, consciously or unconsciously, is bent on destroying Navajo Indian resources and Navajo Indian morale, on removing from their lives those springs of hope and energy which lead men to struggle upward. The Navajo Indians are intelligent, sensitive, proud, and essentially normal human beings, temporarily deflected from normal progress by unintelligent and unintelligible forces with which they cannot cope either collectively or individually.

It would be a good thing if the Indian Service could be taken out of politics and put into the hands of responsible people who would be public-spirited and who would make an effort to close up Indian affairs wherever possible after the Federal Government had made a just and final settlement of all Indian claims against the United States.

Here is a problem that concerns 50,000 human beings born and reared on this continent from time immemorial, still segregated, still within the so-called reser-

vations. This is certainly not American; such a system is antagonistic to the basic idea of a government built in equity, where every man, according to our Federal Constitution, is supposed to have equal rights and equal responsibilities under law.

All authority in Indian Affairs arises in and flows from Congress. The American Indians have no court of appeal from the authority of Congress, in fact, they have no fundamental rights, because there can be no judicial review of any action by Congress concerning them. One Congress can grant the Indians something and the next Congress can take it away or completely nullify it by other legislation.

The Navajo Tribe of Indians and, in fact, all other tribes of Indians under Federal jurisdiction, are governed by direct laws of Congress, which apply to no other people in the United States, and the rules and regulations of the Indian Bureau which have been promulgated from time to time under those laws and which, in themselves, have all the force and effect of laws. Why should the American Indians be subject to special laws and regulations any more than other citizens in this country? The Indians were made citizens of the United States by the Act of Congress in June 1924. Although many of them became voters through the act, the Indian Bureau continues to manage all of their affairs for them and they are now merely "voting wards."

There are not two grades or classes of citizenship in America today under law. Therefore, under law, no paleface Americans, or other classes of individuals, have citizenship rights superior to those of the American Indians. Apparently no one will dispute this fact, but in practice the rights which apply in general to other citizens are systematically denied the American Indians under control of Federal law.

The highest officials—the Secretary of the Interior, the Commissioner of Indian Affairs, Members of Congress, and others who profess to know—do not deny, under law, that the American Indians are citizens; but in practice, they are illegally, unconstitutionally, and disgracefully deprived of their rights to enjoy freedom of person, and the full rights accorded other citizens, and their property rights are still held under the guise of "helping the Indian."

In a word, Federal Indian Bureau control over the Indians has grown and through hundreds of regulations and orders (amounting to all intents of law) the system seems to have become perpetual. The Navajo Indians as well as all other Indians under Government control, are at the mercy of this bureau of the Federal Government and the record of the Indian Bureau has been one of disgrace from the very beginning.

The American Indians are legally citizens, but in practice they are classed as wards of the United States. It would seem that there is no more justification for this continued guardianship over the person of the Indian than there would be if similar groups of other citizens were so treated. No classes of other citizens are thus segregated as are the American Indians. The Indians are tired of such experiments. They say, try this one out on someone else.

The Navajo Indians, and in fact, the majority of all other Indians want to be free from further bureaucratic control of their person and to be allowed to live under local, State, and Federal laws like any other citizen; to enjoy the full benefits of public-school education; in fact, to have the benefits and responsibilities all laws and regulations to which other citizens are subjected, without special dictation.

I am sure that without Federal supervision over the American Indian for at least one generation he would develop sufficiently to take care of himself in every respect. In other words, if the American Indian were turned loose from further control over his person, one generation would prove that he could take just as good care of himself and his family as any other citizen. But he must be given this great opportunity in order that he might accomplish such results. The American Indian mind is the equal, if not in many instances, the superior, to that of the paleface man. Reservation life destroys independence, and reservation Indians are made dependents and are kept so.

As a result of my researches and investigations, I have come to the conclusion, that our own Government has not only been a faithless guardian to the Navajo Indians, but it has also been a faithless guardian of all its American Indian wards and that the agencies which it has set up to deal with the Indians have failed to perform the duties imposed upon them by law. I regret very much that Congress has not evinced that interest in the American Indians in their protection, the treaty obligations require. The Navajo Indians are the wards of the Nation and are, therefore, entitled to the highest degree of consideration.

As a result of my study of the Navajo Indian problem as well as many other problems concerning other tribes throughout the United States, and the treatment

accorded them and the policy followed by the Government in dealing with the Indians, I have reached a definite conclusion that the most humane policy toward the American Indians would be for the Federal Government to make a just and final settlement of all Indian claims against the United States at the earliest possible time. Give every Indian man and woman what rightfully and lawfully belongs to them in land, money, and everything else which is now held in trust by their guardian. Turn the Indians loose, give them what belongs to them so the United States Government can clean its own slate and put its own house in order. By doing this the paleface people in this country will not only be relieving the United States from the reproach under which it must remain in the eyes of an enlightened world, so long as it allows its American Indian wards to perish of neglect; but it will solve the American Indian problem with just to the Indians and with credit to our national honor. The American Indians are not asking for charity. They are merely asking for the right to handle their own property and funds which rightfully and lawfully belong to them without any special dictation.

We have arrived at a time where it is costing the American taxpayers together with Indian tribal funds approximately \$40,000,000 a year to administer the Office of Indian Affairs with wards of about 225,000 people, a proportion of whom do not participate in any of this large amount of money in any way whatsoever. This money is being spent, in my estimation, in a large degree, not for development, not for a real sound progress, but for the perpetuation of a bad system. There has been an effort to maintain the status quo as to Indian affairs; and if the system is continued or the Indian Bureau is allowed to remain in existence, a hundred years from now will see exactly the same control, with an ever-increasing expense burden on the American taxpayers, therefore, I recommend that any future appropriations made by the Congress for the benefit of the Navajo Tribe of Indians for educational purposes, etc., shall be turned over to the respective States where said Navajo Indians reside, and that such money shall be under the jurisdiction of said States for the purpose of setting up a public school system within the Navajo territory, and that the State board of education take full charge and supervision of these schools without any interference from the Indian Bureau officials.

I believe that the time has arrived when Congress should stop all this waste of the taxpayers' money. The Indian Bureau through all of these past 60 or more years dealing with the Navajo Indians has spent large sums of money on useless and nonproductive experimental projects. This certainly shows no credit to the Indian Bureau, when we look at the Navajo situation today. If the Indian Bureau cannot show us any more progress among these Indians than at the present time, when it has been directing their affairs for nearly 70 long years, then I think it is about time that Congress turned this educational matter over to the States and set up their own public-school system so these poor helpless Indians will be able to read, write, and speak the English language. The Indian Bureau has not shown a very good example of what it can do to educate the Indians so they may become full-fledged American citizens. It is claimed that the Bureau has spent more than \$12,000,000 on various nonproductive projects on the Navajo Indian Reservation since 1933, and if this thing still continues, a hundred years from now will see these Indians in the same circumstances.

I know very well that the Navajo Indians would gladly receive our public-school system if only they were given the opportunity to do so. I, myself, feel very proud of our present public school system, and I do not believe that any broad-minded person would dare to stand up and say that it was not good enough for the American Indians—If so, I would like very much to meet such an individual.

You cannot have a race progressing, nor individuals progressing, in my opinion, under the wardship we have exercised over the American Indians during the past 100 years and more. Unless the Indians are permitted to work out their own problems, they will never develop. No race, and I do not care what it may be, can progress in slavery. If the Indian had been given 90 years ago to understand that he had to go out on his own and be in competition with his paleface neighbors, today he would be fully enjoying full American citizenship rights. In other words, the wardship has been a big mistake for the Indians.

The economic cost to the Government of playing guardian to the American Indians is now more than \$40,000,000 annually. Who gets this money? Does it benefit the Indians to such an extent that such a method of our present-day Indian Bureau system should remain in existence? How about rearing our young Indian children alongside of our paleface children, and make good citizens of them so they will have the opportunity of eventually enjoying all the same rights and privileges which are now enjoyed by other citizens?

A great many of the Navajos served the United States in the late world conflict and many of the American Indians shed their blood for the American flag, helping their paleface brothers to fight for the preservation of democracy here in the United States, and for the freedom of all peoples throughout the entire world. The American Indians' loyalty has never been questioned, neither has his integrity or ability been found to be inferior to that of any other race.

Had the paleface man's government started out 150 years ago to recognize the American Indian for the fine qualities of citizenship that he possesses, do you not think that certainly the Indian would have been able to make as much progress year after year as any other race has made?

There is nothing wrong with the American Indian. It is the present system governing him that is wrong. I think the palefaces in this country have been wrong for over 150 years, and that they are still wrong. The Government is not helping the Indian to own private property, and to gear himself into paleface man's society the same as any other nationality. The Government is keeping the American Indian under domination, instead of making him a free citizen. We are a free country, and our purpose has been to see that we should free all those within our borders, instead of applying a procedure that does rather the opposite.

Remove the shackles; allow the American Indian to have a voice in his own destiny; and the law of survival of the fittest will yet develop the American Indian race in the paleface man's social and economic life where he will not be considered inferior to the paleface American's best.

I believe that under existing law, by the Constitution of the United States, under the fourteenth amendment to the Federal Constitution, under the American Indian Enfranchisement Act of 1924, and numerous other decisions of responsible officials, the American Indians should have all the rights, privileges, and responsibilities of American citizenship.

The American Indians want to be accepted as free citizens of the United States; they feel that therein lies the security and protection of their people; the realization of their hopes and ideals and preservation of the noble qualities and characteristics of their race; and they now speak up and ask to be allowed to take their place beside the paleface race and to be placed on exactly the same basis, in all matters, as all other races are enjoying without favor or advantage.

When Oklahoma was admitted as a State the Indians were made citizens. They helped to write the constitution of that State. There has not been a time when there was not an American Indian to help write the laws of the State of Oklahoma; and look what good has been done there. The American Indian citizens of the State of Oklahoma are a splendid example of what can be done among other tribes, including the Navajos. The American Indians have demonstrated that they are not only on a par intellectually with the paleface people but in many instances they are far superior.

The Navajo Indian parents want their children to be like other American citizens. They want to save them from the bitterness which has darkened their own lives. They are sacrificing all of their personal interests to obtain this right for their children, not only for their own children but for all other American Indian children in the United States.

More than that, they want to be certain that their children are brought up in the principles of Americanism, and not the principles of bureaucracy. They also want to be certain that their children are taught to honor and revere their country and its flag but they can see no future for their children under the present educational system and the present Indian Bureau policy.

The Navajo Indians for centuries have maintained themselves from products of the soil and their sheep. These products were both native and cultivated. With the advent of the paleface civilization, most of the native herbs and plants upon which they lived have been destroyed. Their native game was destroyed, both for the pleasure and the profit of the paleface man.

Through broad principles of education and experience in handling their own problems just as other citizens handle theirs—not as wards or inferiors—they should prove (as American Indian people have already proven wherever they have been given an opportunity) their qualifications and ability in every walk of life to be treated as American citizens and not as "incompetent wards."

The Red Race, once a powerful and independent proud people, have allowed themselves to become so completely dominated by Bureau control and domination that they have apparently lost practically all initiative and much self-respect. Our Association now solemnly declares that injustice to the Navajo Tribe of Indians and all the rest of our American Indian wards in the United States shall cease. This is, indeed, a most important hour in the lives of the

American Indians. They are loyal to this country and its institutions; they ask no charity or advantage, but they do plead for equal justice and, in all sincerity, might we here urge members of this Indian committee, and the Congress, and all fair-minded citizens of our beloved America to stand with us and the great Navajo Tribe of Indians and all other ward Indians with raised hands and devotedly subscribe to the immortal words carved in the pure marble of the Supreme Court Building of the United States, which reads as follows: "Justice, the guardian of liberty."

There is much more that should be said in connection with this Navajo question and other features of the American Indian problem that should be presented for the consideration of the Congress and brought to the attention of the American public; but I have already said so much regarding this Navajo question that I must premit any further discussion on the subject at the present time.

My object in presenting these remarks before the Committee on Indian Affairs of the United States Senate is to challenge the attention of Congress, the Indian Bureau officials, the American public, and all those who are interested in the general welfare of the Navajo Indians, to the importance of the American Indian problem as a whole.

Moreover, it is my desire that Congress will take cognizance of the matters herein mentioned and will resolutely address itself to remedying an intolerable condition which has been so unfair and unjust to the wards of the Nation. I do not pretend to say how all the existing evils with respect to the present-day conditions of the big Navajo Tribe and other Indians are to be corrected, and the American Indian so-called problem be solved with justice to the Indians and with credit to our national honor. But I do know, however, that the American Indian race is certainly entitled to the redress of its grievances and relief from its present intolerable situation; that it is not charity it seeks but free-citizenship rights which are guaranteed to other citizens under the Constitution of the United States, and the right to manage its own affairs without further supervision, and to have personal liberty with the dignity of a free people.

I make this statement in order to clear the record and to put the entire matter before this committee and the Congress of the United States, and the American public. I am of the firm conviction that the paleface Americans have not only committed these wrongs complained of, but there are many others which have taken place against the Navajos and other American Indians not heretofore mentioned. I firmly believe that common decency alone should require the people in this country to right the wrongs they have done toward a race of defenseless people. I believe in the Constitution of the United States—not simply in part of it, I believe in all of it. I also believe in the Bill of Rights—not only in the right of free speech and free assembly, but I believe in the right of the individual to his own property, and as a citizen he should be allowed to exercise that right in his own way, without any special dictation. I also believe in the fourteenth amendment to the Constitution of the United States, and its prohibition on the States; and I submit to your committee and the Congress that the wrongs which have been perpetuated on the American Indian tribes should now be corrected.

Let us set our own house in order. Let us settle and dispose of the Indian tribal claims. Let us by all means preserve, protect, and defend the Constitution of the United States, so that it may mean the same thing to all of our people regardless of race, creed, or color.

In conclusion, may I state that our aim, and our hope, is that this committee and the Congress will display the courage to deal with this gigantic octopus, the Indian Bureau, which has grown to such uncontrollable dimensions in bureaucratic power (and which admits it can make laws governing the American Indians in lieu of Congress). May I further state, that, in the name of justice and humanity, let us free the last enslaved people in the land, the American Indians; give them the full and unrestricted rights of American citizenship; and we should do it now without any further delay. When these American Indian war veterans return to their respective homes on the reservations, or elsewhere, they want to find their people enjoying the full rights of American citizenship the same as other citizens in this country, instead of the Indians being still held in bondage.

With these conditions of life assured them, the 360,000, more or less, remaining American Indian wards and their posterity will take their place in the social and economic life of the Nation, just as they took their place in the embattled ranks in World War I and World War II.

Let us all bear in mind that while our Nation was justly fighting for freedom, liberty, the preservation of democracy and justice to all, we should not forget that while those high ideals are cherished by all true patriots, their fulfillment at

our country's hands have been woefully overlooked and not truly administered in the case of the patient, patriotic, and long-suffering tribes of American Indians in the United States.

I should like very much at this time to ask permission to have the following newspaper clippings, etc., put in and made a part of the printed record:

1. An article in the Farmington, N. Mex., Times Hustler, under the heading "Navajos Have Support of Hartford, Conn., Indian Rights Association."

2. Copy of the object and purposes of the National American Indian Defense Association, Inc., and the year it was incorporated.

3. Copy of letter sent to the late Franklin D. Roosevelt, President of the United States.

4. Copy of letter sent to the Honorable Harry S. Truman, President of the United States, and a newspaper reprint from the Hartford, Conn., Times, under the heading "Hamilton Requests Truman Aid Indians."

5. Copy of a reprint from the Hartford Times paper, under the heading "White Men Called Unfair Toward American Indians."

6. Copy of a letter sent to the American Red Cross asking if it would come to the rescue of the needy Indians.

7. Copy of an article from the Hartford, Conn., Times paper, under the heading "Indian Urged For President of the United States."

8. Copy of a resolution to prevent the introduction in or the use of peyotl on the Navajo Indian Reservation. Mr. Morgan has requested this be made a part of the record.

9. Copy of newspaper article on the use of peyotl from the Albuquerque Tribune, under the heading, "Indian Bureau Encourages Peyotl Use, Oklahoma Lawmaker Charges."

10. Copy of letter sent to the Commissioner of the General Land Office in reference to Santa Fe Railroad and the Navajo Indians.

11. Copy of letter from group of Navajos to the Chairman of the Committee on Indian Affairs of the Senate.

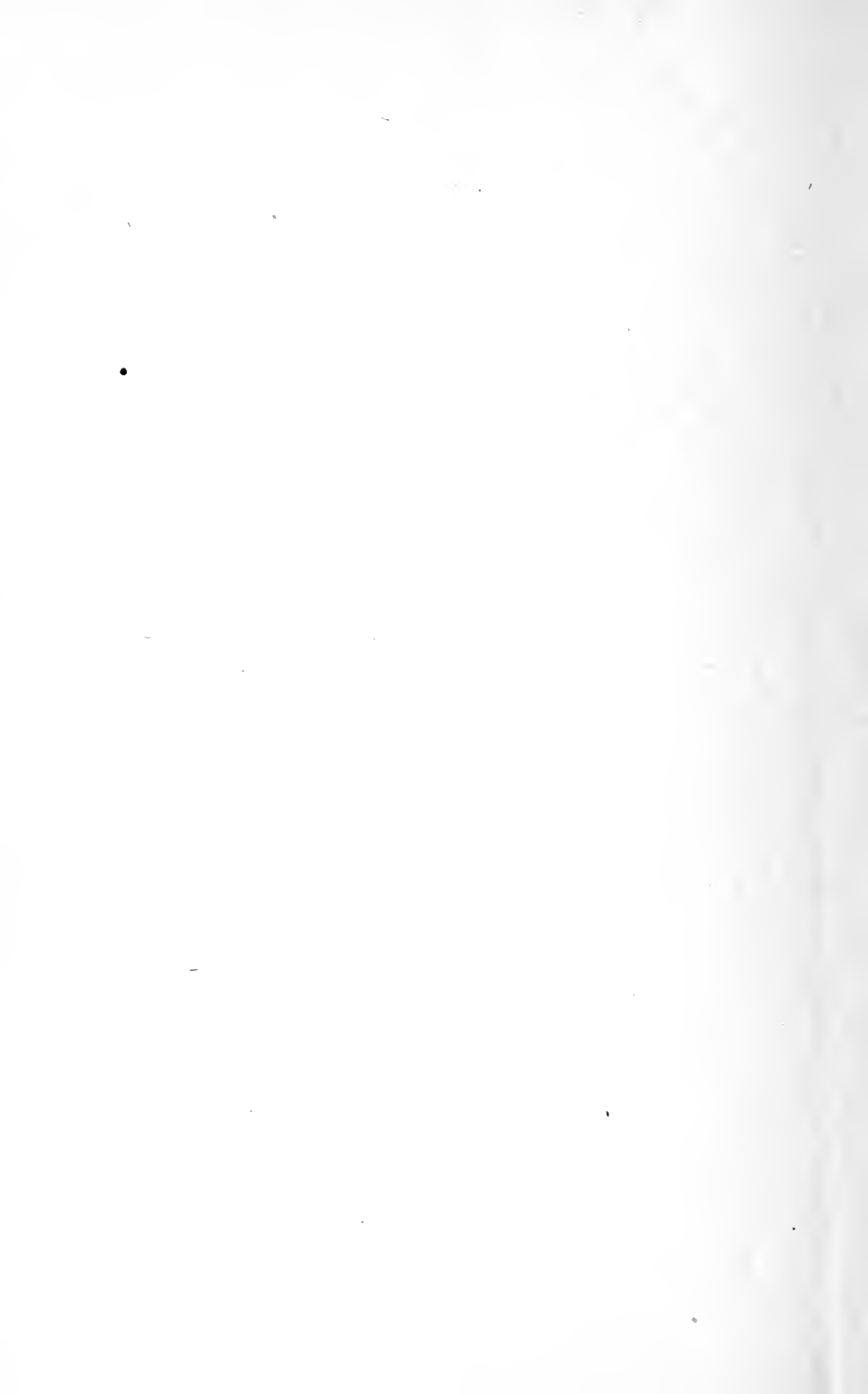
12. Copy of circular under the heading, "Urgent Navajo Problems." Respectfully submitted.

JOHN E. HAMILTON,

National President, National American Indian Defense Association, Inc.

(The committee will place the above-mentioned papers and documents on file and not print in the record.)

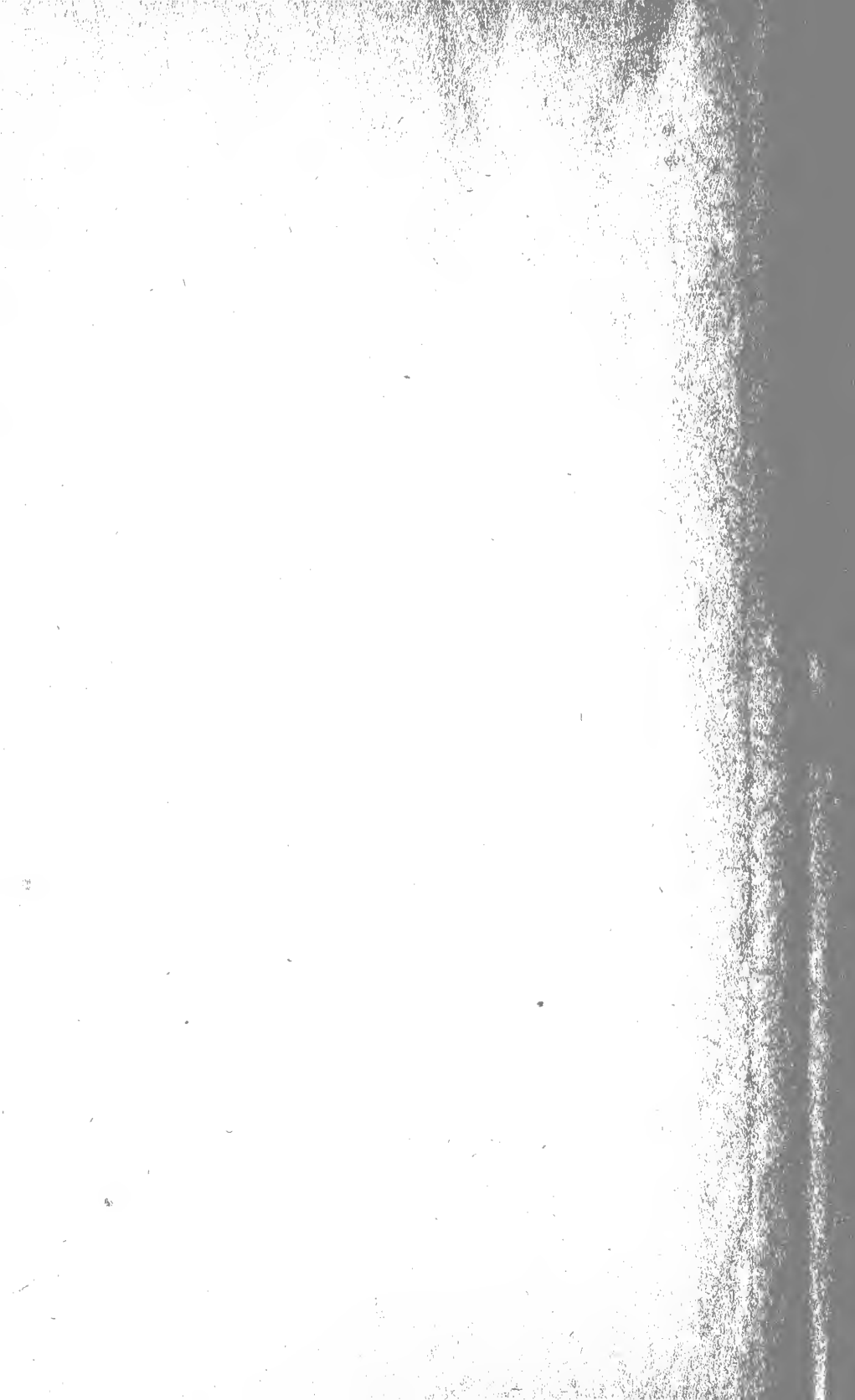
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